

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:10-CV-8-BR

PAUL H. FELDMAN and MARTIN L.
PERRY,

Plaintiffs,

v.

LAW ENFORCEMENT ASSOCIATES
CORPORATION, et al.,

Defendants

ORDER

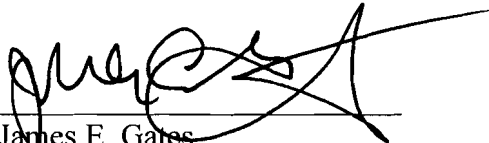
Before the court is a motion filed by defendant John H. Carrington ("Carrington") (D.E. 42) to stay discovery pending resolution of pending motions to dismiss (D.E. 37, 39). Carrington indicates that the other defendants in this case have consented to the relief requested. He argues that a temporary stay of discovery while the motions to dismiss are before the court would preserve the court's and the parties' time and other resources. Plaintiffs filed a cross-motion for the entry of an evidence preservation order (D.E. 46) and state that they do not oppose the entry of a stay if their proposed evidence preservation order is simultaneously entered. In his response to the cross-motion (D.E. 45), Carrington states that he has no objection to the evidence preservation order proposed by plaintiffs. The other defendants did not respond to the cross-motion.

The court finds good cause for the proposed stay of discovery, and the motion to stay (D.E. 42) is therefore ALLOWED. All discovery in this case is STAYED until entry of an order disposing of the motions to dismiss.

Although the evidence preservation order proposed by plaintiffs does not appear to alter the parties' existing preservation obligations, the court finds good cause for such an order and the cross-

motion (D.E. 46) is also ALLOWED. The parties shall preserve, and not destroy or alter, any and all documents (as that term is used in Fed. R. Civ. P. 34(a)(1)(A)) in their possession, custody, or control that are relevant to any claim or defense in this case. Nothing in this Order shall be deemed a waiver of any party's right to object to any requested discovery on any ground.

SO ORDERED, this 9 day of September, 2010.


James E. Gates
United States Magistrate Judge